

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided in the present application. Claims 1-7 and 9 are now present in the application. Claim 1 has been amended. Claim 9 has been added. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

#### **Request for Withdrawal of Finality of Office Action**

Applicants are in receipt of a final Office Action mailed July 16, 2009, in this application. Applicants respectfully request that the finality of the subject Office Action be withdrawn because the Examiner introduces a new ground of rejection to reject independent claim 1 that is not necessitated by Applicants' amendment of the claims, but is necessitated by Applicants' previous arguments submitted on February 13, 2009.

Specifically, Applicants note that in the Response to Arguments section on page 5 of the Office Action, the Examiner changes his ground of rejection due to the Applicants' previous arguments, which is also acknowledged by the Examiner (e.g. the Examiner states "Applicant argues a screw mechanism constructed between said rotating cylinder and said steering shaft...the screw mechanism is corrected now with the rotating cylinder being element 19").

Since the Examiner introduces a new ground of rejection necessitated by Applicants' previous arguments submitted on February 13, 2009, instead of Applicants' amendment, Applicants respectfully submit that it is improper for the Examiner to then make the rejection of claims 1-7 a "final" rejection.

Accordingly, withdrawal of the finality of the outstanding Office Action is respectfully requested.

### **Claim Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kodaira, U.S. Patent No. 6,427,799. Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kodaira in view of Cheng, U.S. Patent No. 6,155,376. These rejections are respectfully traversed.

A complete discussions of the Examiner's rejections are set forth in the Office Action, and are not repeated herein.

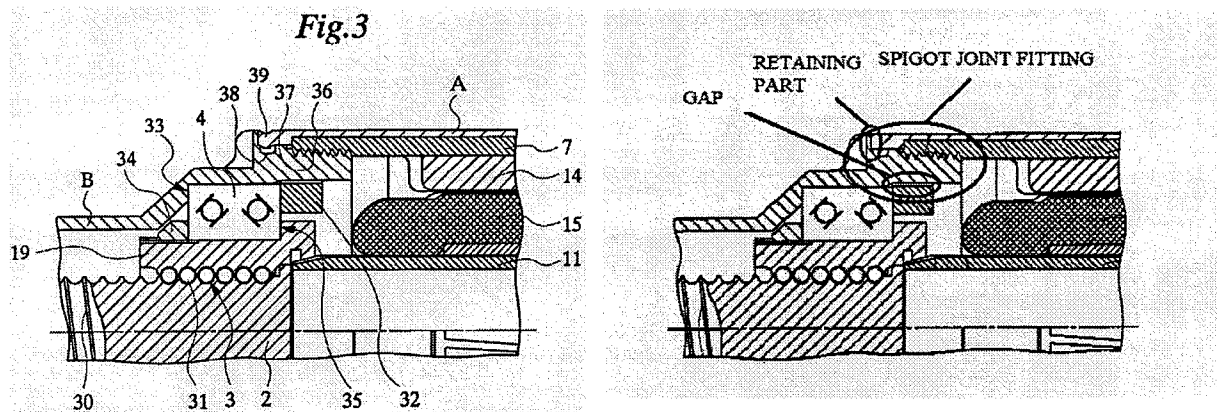
Without conceding to the propriety of the Examiner's rejection, but merely to timely advance the prosecution of the application, as the Examiner will note, independent claim 1 has been amended to more clearly clarify the present invention.

In particular, independent claim 1 now recites a combination of elements including "a housing for supporting coaxially a steering shaft and a rotating cylinder, said rotating cylinder being provided with a screw mechanism constructed between said rotating cylinder and said steering shaft for moving in an axial direction for the purpose of steering and being rotated by a transmission from a steering motor, *said housing being constructed in a separated form consisting of first and second housings, said first and second housings being fit to each other by a spigot-joint fitting on an outer side of a retaining part of a thrust bearing for thrust-supporting said rotating cylinder, wherein a gap is provided in a part that constitutes a part of the spigot-joint fitting part of said first and second housings and that is located radially outward from a fixing nut screwed into said retaining part in order to apply a tightening force on said thrust bearing from one side*, and wherein said gap that constitutes a part overlaps, in an axial direction, with a screwing region between said retaining part and said fixing nut screwed into said retaining part, and wherein *said fixing nut is in direct contact with said thrust bearing*." Support for the amendments can be found at least at, for example, Fig. 3 and the corresponding disclosure of the Specification as originally filed. Thus, no new matter has been added.

Applicants respectfully submit that the above-emphasized features set forth in claim 1 is not disclosed or suggested by the references relied on by the Examiner.

Specifically, as illustrated in Fig. 3 of the present application, in the first and the second housings 17 and 18, the retaining ring 81 of the second housing 18 is fit into a fitting part 19 of the first housing 17, so that both housings 17 and 18 are linked with concentricity by the effect of the fitting part. A predetermined gap C is ensured in the spigot-joint fitting part and is located radially outward from the fixing nut 82 screwed into said retaining part 81 in order to apply a tightening force on said thrust bearing 8 from one side.

On page 3 of the Office Action, the Examiner reproduces Fig. 3 of Kodaira as follows in order to assert that Kodaira teaches a gap, a retaining part and spigot joint fitting of the present invention. Applicants respectfully disagree.



Specifically, in the outstanding Office Action, the Examiner refers to the element 7 of Kodaira as the fixing nut of the present invention. However, referring the above figures of Kodaira, it is clear that the “GAP” of Kodaira marked by the Examiner is not located radially outward from the element 7 screwed into said “RETAINING PART” marked by the Examiner.

Therefore, Applicants respectfully submit that Kodaira fails to teach or suggest “*a gap is provided in a part that constitutes a part of the spigot-joint fitting part of said first and second housings and that is located radially outward from a fixing nut screwed into said retaining*

*part in order to apply a tightening force on said thrust bearing from one side*” as recited in claim 1.

Further, as clearly illustrated in Fig. 3 of the present application, the fixing nut 82 is in direct contact with the thrust bearing 8. As set forth in amended claim 1, the present invention requires “*said fixing nut is in direct contact with said thrust bearing.*”

On the contrary, however, referring to Fig. 3 of Kodaira, the yolk 7 of Kodaira (referred to as the fixing nut of the present invention by the Examiner) is **not** in direct contact with the angular bearing 4 (referred to as the thrust bearing of the present invention by the Examiner). Therefore, Applicants respectfully submit that Kodaira fails to teach or suggest “*said fixing nut is in direct contact with said thrust bearing*” as recited in claim 1.

With regard to the Examiner’s reliance on Cheng, this reference has only been relied on for its teaching of the pinion. Applicants respectfully submit that Cheng also fails to disclose the above-mentioned features set forth in claim 1, and thus fails to cure the deficiencies of Kodaira.

Since Kodaira and Cheng, either taken alone or in combination, fail to teach each and every claimed feature as recited in claim 1, Applicants respectfully submit that claim 1 clearly defines over the teachings of the references relied on by the Examiner.

In addition, claims 2-7 depend, either directly or indirectly, from independent claim 1, and are therefore allowable based on their respective dependence from independent claim 1, which is believed to be allowable.

In view of the above amendments to the claims and remarks, Applicant respectfully submits that claims 1-7 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

### **Additional Claims**

Claim 9 has been added for the Examiner's consideration. Support for the new claim can be found at least at, for example, Fig. 3 and the corresponding disclosure of the Specification as originally filed. Thus, no new matter has been added.

Applicants respectfully submit that claim 9 depends directly from independent claim 1, and is therefore allowable based on its dependence from independent claim 1, which is believed to be allowable, or as well as due to the additional novel feature set forth therein

Favorable consideration and allowance of claim 9 are respectfully requested.

### **CONCLUSION**


It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

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